

Comment Set 35

State of California



Memorandum

To : Ms. Judy Brown
California State Lands Commission
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Via Fax (916) 574-1846

Date: August 13, 2003

From : Robert W. Floerke, Regional Manager 
Department of Fish and Game - Central Coast Region, Post Office Box 47, Yountville, California 94599

Subject: Concord to Sacramento Petroleum Products Pipeline Project
Draft Environmental Impact Report, Contra Costa, Solano, and
Yolo Counties, SCH #2002022010

Department of Fish and Game (DFG) personnel have reviewed the Draft Environmental Impact Report (DEIR) dated June 2003 for the Concord to Sacramento Petroleum Products Pipeline Project (project). DFG personnel includes staff from DFG's Central Coast Region and Office of Spill Prevention and Response (OSPR). We are submitting the following comments as a trustee and responsible agency for the project under the California Environmental Quality Act (CEQA). In that capacity, DFG limits its comments on the DEIR to those activities that fall within its area of expertise as the State's trustee agency for fish and wildlife, and to those activities associated with the project that it may be required to approve or carry out as a responsible agency.

The proposed project is the construction and operation of a new 20-inch petroleum products pipeline extending from the existing Santa Fe Pacific Partners (SFPP) Concord station in Contra Costa County to the existing SFPP Sacramento station in the city of West Sacramento, Yolo County. The pipeline would extend approximately 70 miles and would carry gasoline, diesel fuel, and jet fuel. The purpose of the new pipeline is to meet projected demand for petroleum products (including fuel for military installations) in the Sacramento, Roseville, Chico, and Reno areas by replacing SFPP's existing 36-year

Comment Set 35, cont.

Ms. Judy Brown

2

August 13, 2003

old, 14-inch pipe between Concord and Sacramento. The existing pipeline is approximately 60 miles long and is located primarily within Union Pacific Railroad right-of-way. The existing pipeline traverses the Suisun Marsh. Upon completion of the proposed project, most of the existing pipeline would be decommissioned from further use in petroleum product service by SFPP. However, approximately 6,000 feet of the existing 14-inch line would continue to be used for the crossing of the Carquinez Straits until such time that a new 20-inch pipe can be installed using a single horizontal directional drill (HDD).

We offer the following comments and recommendations referenced by DEIR content heading:

2.1 Proposed Project. It is DFG's understanding that the Phase 2 Carquinez Strait Crossing is not part of the proposed project being considered for approval in this DEIR. A separate CEQA document will be completed to address impacts of the crossing at the time it is proposed and detailed engineering plans are available. However, a general description and analysis of the Phase 2 crossing is presented throughout the DEIR. As described, the Phase 2 crossing would likely result in significant unavoidable impacts to biological resources and take of State-listed and/or fully protected species. Therefore, the Phase 2 crossing may not be feasible as described. DEIR discussion of the Phase 2 crossing is considered to be inadequate with respect to a full description of impacts to biological resources and measures to mitigate those impacts. DFG is available to meet with the project applicants and lead agency to further identify the extent of project impacts, and to develop feasible alternatives or avoidance and compensatory measures to mitigate the impacts. Alternatively, DFG recommends that all references to the Phase 2 crossing be removed from the EIR.

35-1

Impact BB-1: Construction Causing Sedimentation, Erosion, or Contamination Affecting Special Status Plant Species or Wetlands. DFG agrees that construction of the proposed pipeline could cause a release of hazardous substances within the Rhodia/Peyton Slough area. Further, a pipeline placed within the existing contaminated substances may serve as a pathway for future release of those contaminants, thereby

35-2

Comment Set 35, cont.

Ms. Judy Brown

3

August 13, 2003

compromising to some extent Rhodia's remediation efforts within the Peyton Slough marsh area. This represents a potentially significant impact to wetland habitat and special status species. The DEIR does not address this potential impact or the effects to Rhodia's remediation project. DFG recommends that the pipeline be rerouted within Segment 1, to follow the existing UPRR right-of-way (ROW) along Waterfront Road, and then along Highway 680 to a point where the pipeline can connect with the existing 14-inch pipeline under the Carquinez Straits. This pipeline reroute has been presented to DFG as Rhodia Alternative Route #1 (Red line) (map date August 6, 2003). Adverse impacts to biological resources can be further minimized if construction of this alternative is conducted during Rhodia's marsh restoration efforts while coffer dams are in place on Peyton Slough. The coffer dams would be in place to avoid impacts to sensitive aquatic resources including Federally listed salmonids. If pipeline construction could be coordinated with Rhodia's marsh restoration project, then an open cut trench through Peyton Slough would be preferable to a HDD because it would minimize impacts to marsh vegetation.

35-2

Mitigation Measure BB-2a. Rare Plant Avoidance. Impact BB-2a states that a direct impact to special status plant species or their habitat would be considered a potentially significant impact. Mitigation measure BB-2a proposes to reduce this impact to a less than significant level by avoidance. This measure presumes that any special status plant observed during preconstruction surveys of previously unsurveyed areas can and will be avoided. This mitigation measure may not be feasible. DFG recommends that mitigation be disclosed to address direct loss of special status plant species likely to be present in the unsurveyed areas of the proposed ROW. The mitigation could include restoration onsite and protection in perpetuity of offsite populations. Impacts to State or Federally listed plant species would require consultation and/or a permit or Memorandum of Understanding from DFG or the U. S. Fish and Wildlife Service (USFWS) prior to the impact occurring.

35-3

Mitigation Measure BB-5a Wetland Avoidance and Restoration. This measure proposes to compensate for damage and/or loss of wetland vegetation due to pipeline construction. Impacts are proposed to be mitigated by restoring the affected area, at a

35-4